

THE HONORABLE RICARDO S. MARTINEZ

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KINSALE INSURANCE COMPANY, a
foreign insurer.

Plaintiff,

v.

EVOLUTION SIDE, LLC, a Washington
limited liability company and construction
contractor; and LAER ENTERPRISES INC., a
Washington corporation and construction
contractor, KENTON SCHUMACHER, a
Washington resident; MADALYN HORN, a
Washington resident; JENNIFER LALLY, a
Washington resident; BRANDON &
MICHELLE CONNOR, Washington residents;
MIKE NETTEKOVEN, a Washington resident;
NOAH MANN, a Washington resident;
STACEY MCGEATH, a Washington resident;
JENNIFER ELLSWORTH-BOESL, a
Washington resident; STORM WENDT, a
Washington resident; DAVID BALDWIN, a
Washington resident; TROY RUNNER, a
Washington resident; TRAVIS REANO, a
Washington resident; DEREK TULLUCK, a
Washington resident; RHONDA AND JEFF
SAWYER, Washington residents; JENNIFER
BROADBENT, a Washington resident; ALI
JONES & JULIO VALDEZ, Washington

No. 2:23-cv-00065-RSM

**ORDER GRANTING PLAINTIFF'S
MOTION FOR DEFAULT
JUDGMENT AGAINST
DEFENDANTS EVOLUTION SIDE,
LLC AND LAER ENTERPRISES,
INC**

residents; JOHN KENNEDY, a Washington
 resident; ALEX CORRAL AND KELSIE
 TROTINGNON, a Washington resident;
 RICKY & MADISON HALL, Washington
 residents; LARRY PAGUE, a Washington
 resident; JULIE ACHESON, a Washington
 resident; STEPHEN HANNAN, a Washington
 resident; ANNIE NAHON, a Washington
 resident; TEMASWATI JOHNSTON, a
 Washington resident; AMIR MOUSA VI, a
 Washington resident; TYLER GOLD, a
 Washington resident; NOEL TEVES, a
 Washington resident; TERESA RODMAN, a
 Washington resident; IVAN NGAUAMO, a
 Washington resident; ANDREW & DIANE
 MORTAGNE, Washington residents; BRIAN
 HELLESTO, a Washington resident;
 VERNON BRANCO, a Washington resident;
 JOSHUA & JOHANNA SUMMERS,
 Washington residents; RON BOCCA, a
 Washington resident; KELLY ROBINSON, a
 Washington resident; KEN CUNNINGHAM, a
 Washington resident; PATRICK BROOKE, a
 Washington resident; NATE MOWRY, a
 Washington resident; TREVOR ANDERSON,
 a Washington resident; DEBRA SILVER, a
 Washington resident; TODD GRIFFEN, a
 Washington resident; GARY MAGREEHAN, a
 Washington resident; KRISTEN & ALEX
 HALL, Washington residents; CALEB
 HARRIS, a Washington resident; KIERAN
 HUNT, a Washington resident; LINDSEY
 CALDERWOOD, a Washington resident;
 CATHY KOMBOL, a Washington resident;
 REBEKAH ENGEBO, a Washington resident;
 GABRIELLA MANCILLA, a Washington
 resident; BRIAN AND ANISSA REGO,
 Washington residents; KATIE MIKESELL, a
 Washington resident; TROY SALISBURY &
 JESSICA MATIAS, Washington residents;
 GREG & TIFFANY HOPKINS, Washington
 residents; RENE LOPEZ RIVERA, a
 Washington resident; ETHAN
 SCHIERENBECK, a Washington resident;

JUDY PRENOVOST, a Washington resident;
 ALYSSA MERCER, a Washington resident;
 SETH & CASSIE POHLMAN, Washington
 residents; TANYA EVANS, a Washington
 resident; ADAM POHLMAN, a Washington
 resident; ARDEN BARDEN, a Washington
 resident; IRIS PALLER-MILNE, a Washington
 resident; JEFF & KATHERINE POTASKY,
 Washington residents; RYAN HILDEBRAND,
 a Washington resident; MIKE & SANDY
 O'HARA, Washington residents;

Defendants.

This matter came before the Court on Plaintiff Kinsale Insurance Company's (Kinsale) Motion for Default Judgment against Defendants Evolution Side, LLC (Evolution Side) and Laer Enterprises, Inc. (Laer) (hereinafter collectively "Defaulted Defendants"). This Court, having considered the motion and all supporting documents, hereby GRANTS the Motion for Default Judgment and enters Default Judgment against Defaulted Defendants as follows:

Defaulted Defendants are not entitled to any coverage pursuant to the terms and conditions of the following policies of insurance issued to Evolution Side by Kinsale:

- No. 0100093333-0 (effective 08/07/2019 - 08/07/2020)
- No. 0100093333-1 (effective 08/07/2020 - 08/07/2021)
- No. 0100093333-2 (effective 08/07/2021 - 08/07/2022)

for any and all claims for damages associated with the claims asserted against them and/or arising out of the Suntop Farm Project which were or could have been raised in the matter entitled *Laer Enterprises, Inc. v. General Enterprise, Inc., et al.*, King County Superior Court Cause No. 21-2-10435-1 SEA. Kinsale owes no defense or indemnity obligations under the foregoing policies for any claims associated with or arising out of the Suntop Farms Project.

1 IT IS SO ORDERED.

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3 DATED this 27th day of April, 2023.

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7 RICARDO S. MARTINEZ
8 UNITED STATES DISTRICT JUDGE
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10 Respectfully Submitted By:

11 LETHER LAW GROUP

12 /s/ Thomas Lether

13 Thomas Lether, WSBA #18089

14 /s/ Ellen McGraw

15 Ellen McGraw, WSBA #60240

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